

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CLARENCE WILLIAMS,

Plaintiff,

v.

UNITED AIRLINES, INC.,

Defendant.

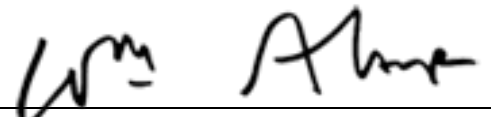
No. C 19-02988 WHA

**ORDER RE MOTION FOR
CERTIFICATE OF
APPEALABILITY AS TO ORDER
RE EXCLUSION OF EVIDENCE
UNDER WIRETAP ACT**

The motion to certify under Section 1292(b) is **DENIED**. We are dealing with an evidentiary issue. There is enough evidence to go to trial even if the recording is excluded. The appeal now will not materially advance the termination of litigation. *See Lerner v. Atlantic Richfield Co.*, 690 F.2d 203, 211 (Temp. Emer. Ct. App. 1982).

IT IS SO ORDERED.

Dated: April 8, 2021.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE